

# 1996 Sourcebook of Federal Sentencing Statistics

**UNITED STATES SENTENCING COMMISSION**



# INTRODUCTION

This is the inaugural edition of the United States Sentencing Commission's *Sourcebook of Federal Sentencing Statistics*. This *Sourcebook* contains descriptive statistics on the application of the federal sentencing guidelines and provides selected district, circuit, and national sentencing data. The volume covers fiscal year 1996 (October 1, 1995, through September 30, 1996, hereinafter "1996"), and presents various trend analyses.

The Commission collects and analyzes data on guideline sentences to support its varied activities. As authorized by Congress, the Commission's numerous research responsibilities include: (1) the establishment of a research and development program to serve as a clearinghouse and information center for the collection, preparation and dissemination of information on federal sentencing practices; (2) the publication of data concerning the sentencing process; (3) the systematic collection and dissemination of information concerning sentences actually imposed and the relationship of such sentences to the factors set forth in section 3553(a) of title 18, United States Code; and (4) the systematic collection and dissemination of information regarding the effectiveness of sentences imposed (28 U.S.C. § 995(a)).

The Sentencing Commission maintains a comprehensive, computerized data collection system which forms the basis for its clearinghouse of federal sentencing information and which, in large part, drives the agency's research mission. Pursuant to its authority under 28 U.S.C. §§ 994(w) and 995(a)(8), and after discussions with the Judicial Conference Committee on Criminal Law and the Administrative Office of the U.S. Courts, the Commission requested that each probation office in each judicial district submit the following documents on every defendant sentenced under the guidelines:

- Indictment
- Presentence Report (PSR)
- Report on the Sentencing Hearing (statement of reasons for imposing sentence as required by 18 U.S.C. § 3553(c))
- Written Plea Agreement (if applicable)
- Judgment of Conviction

Data from these documents are extracted and coded for input into various databases. It should be noted that data collection is a dynamic rather than a static process. When research questions arise, the Commission either analyzes existing data or adds information to its monitoring system.

For each case in its **Monitoring Dataset**, the Commission routinely collects case identifiers, sentencing data, demographic variables, statutory information, the complete range of court guideline decisions, and departure information. Throughout 1996, the Commission continued to add data elements to its extensive computerized datafile on defendants sentenced under the guidelines.

The Commission also maintains additional datasets to study a variety of sentencing-related issues. The **Organizational Dataset** captures information on organizations sentenced under Chapter Eight of the guidelines. The data collected describe organizational structure, size, and economic viability; offense of conviction; mode of adjudication; sanctions imposed; and application of the sentencing guidelines. The **Appeals Dataset** tracks appellate review of sentencing decisions. Information captured in this module includes district, circuit, dates of appeal and opinion, legal issues, and the court's disposition. In addition to its standard data collection, the Commission often codes additional variables to study various discrete issues (e.g., immigration offenses, child sex offenses).

The Commission's 1996 Monitoring Dataset contains documentation on 42,436 cases sentenced under the Sentencing Reform Act between October 1, 1995, and September 30, 1996. A "case" is defined

as one sentencing event for an individual defendant. In addition, the Commission received information on 157 organizations that were sentenced under Chapter Eight of the sentencing guidelines in 1996.

The Commission also tracks final opinions and orders, both published and unpublished, in federal criminal appeals. During 1996, the Commission supplemented these opinions and orders with cases available on computerized legal databases and with *habeas corpus* decisions (although technically civil matters) because such cases often involve sentencing issues. In 1996, the Commission gathered information on 6,710 appellate court cases of which 2,448 were “conviction only” cases.

The appeals data system uses both the “group” and the “defendant” units of analysis. Each group comprises individual records representing all codefendants participating in a consolidated appeal. Each defendant’s record comprises the sentencing-related issues corresponding to that particular defendant. These records, linked together by a unique Commission-assigned appeals identification number, constitute a single group.

The Commission’s computerized datasets, without individual identifiers, are available via tape and the Internet through the Inter-University Consortium for Political and Social Research at the University of Michigan (ICPSR).<sup>1</sup>

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<sup>1</sup> The Consortium can be contacted using the following Internet address: <http://www.ICPSR.umich.edu>. For more information, contact Dr. Christopher S. Dunn, ICPSR, P.O. Box 1248, Ann Arbor, MI 48106 or call 1-800-999-0960 or (313) 763-5011.

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Descriptions of Datafiles, Variables, and Footnotes

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